

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER ELLIOTT,

Plaintiff,

v.

R. EHLERS, et al.,

Defendants.

No. 2:22-cv-1040 TLN KJN P

FINDINGS & RECOMMENDATIONS

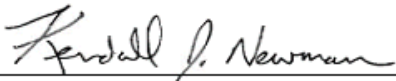
On November 21, 2022, plaintiff's amended complaint was dismissed and thirty days leave to file an amended complaint was granted. On January 25, 2023, plaintiff was granted an additional thirty days in which to file a second amended complaint. On February 23, 2023, the order was re-served on plaintiff at his new address of record. Thirty days from that date have expired, and plaintiff has not filed a second amended complaint or otherwise responded to the court's order.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned "Objections to Magistrate Judge's Findings

1 and Recommendations.” Plaintiff is advised that failure to file objections within the specified  
2 time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153  
3 (9th Cir. 1991).

4 Dated: March 28, 2023

5   
6 KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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